UNITED STATES DISTRICT COURT DISTRICT OF SOUTH DAKOTA SOUTHERN DIVISION

HILLCREST GOLF & COUNTRY CLUB,

Plaintiff,

Case No. 4:23-cv-04091-KES

v.

DEPOSITORS INSURANCE COMPANY and NATIONWIDE MUTUAL INSURANCE COMPANY,

Defendants,

JOINT MOTION FOR DISMISSAL

COMES NOW Plaintiff Hillcrest Golf & Country Club, by and through its counsel of record, Derek A. Nelsen of Fuller, Williamson, Nelsen & Preheim LLP and Defendants Depositors Insurance Company and Nationwide Mutual Insurance Company, by and through its counsel of record, Daniel R. Fritz of Ballard Spahr LLP, and hereby move, pursuant to Fed. R. Civ. P. Rule 41(a)(2) for dismissal of all claims herein with prejudice on their merits, without further notice of hearing and with each party bearing its own costs, expenses and attorneys' fees.

Dated: June 5, 2024 Fuller, Williamson, Nelsen & Preheim

By:

Derek A. Nelsen

Email: dnelsen@fullerandwilliamson.com

605-978-5200

7521 South Louise Avenue Sioux Falls, SD 57108

Attorneys for Plaintiff

Dated: June 5, 2024 Ballard Spahr LLP

By: /s/ Daniel R. Fritz

Daniel R. Fritz

Email: fritzd@ballardspahr.com

605-978-5200

101 South Reid Street, Suite 302 Sioux Falls, SD 57103-7030

Attorneys for Defendants